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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:**                      **Z2014-27**                      **LEGISTAR: #20141208**

**LANDOWNERS:**                      **Marietta Properties LLC**  
   **c/o Philip Goldstein**  
   **58 South Park Square**  
   **Suite P**  
   **Marietta, GA 30060**

**APPLICANT:**                              **Same as above**

**AGENT:**                                      **n/a**

**PROPERTY ADDRESS:**                      **1541 Rosewood Circle**

**PARCEL DESCRIPTION:**                      **Land Lot 12080, District 16, Parcel 0430**

**AREA:**                      **0.22**                      **COUNCIL WARD:**                      **7**

**EXISTING ZONING:**                              **GC (General Commercial) - County**

**REQUEST:**                                      **CRC (Community Retail Commercial) - City**

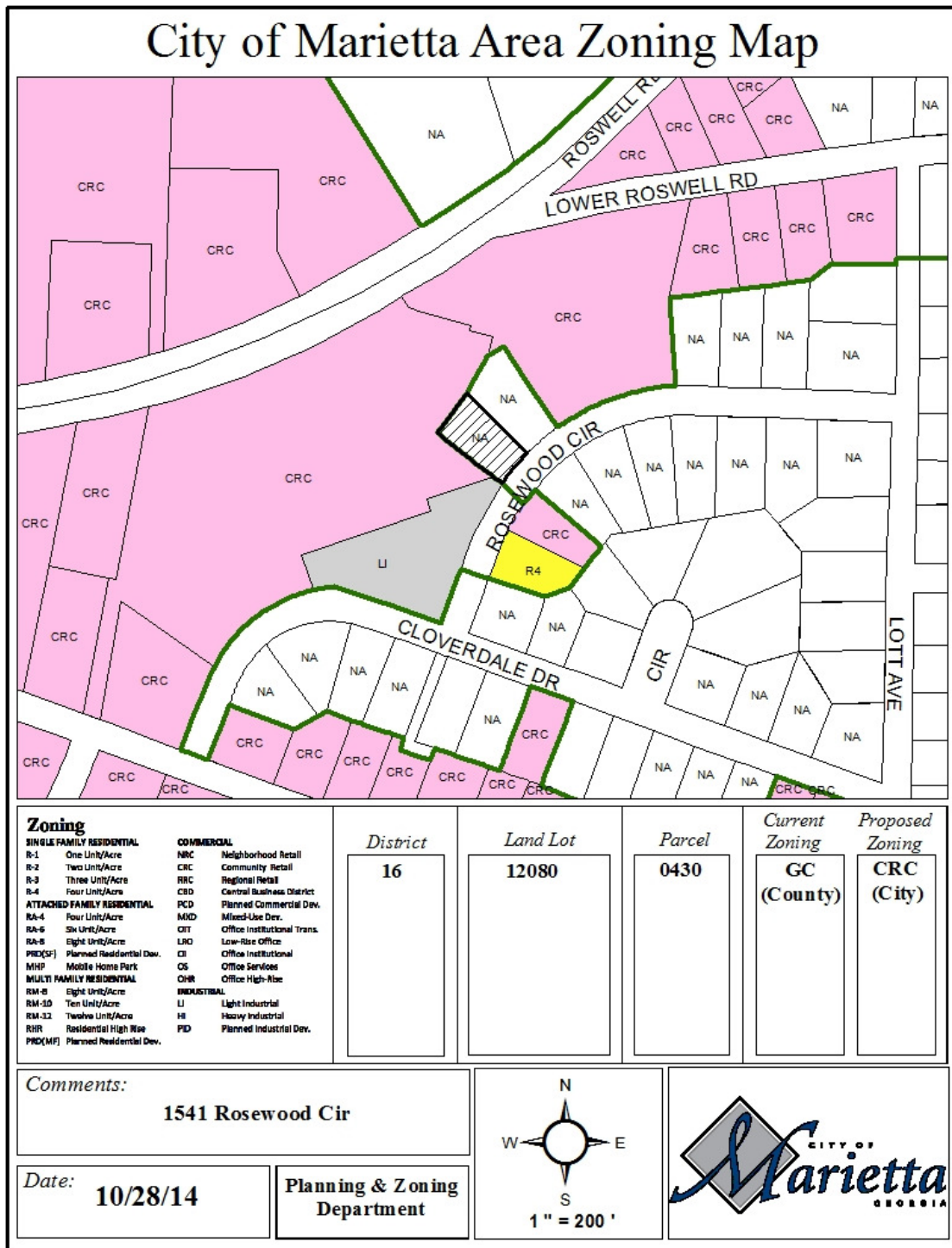
**FUTURE LAND USE MAP**  
**RECOMMENDATION:**                              **CAC (Community Activity Center)**

**REASON FOR REQUEST:** The applicant is requesting to rezone this property so that it may be annexed into the city.

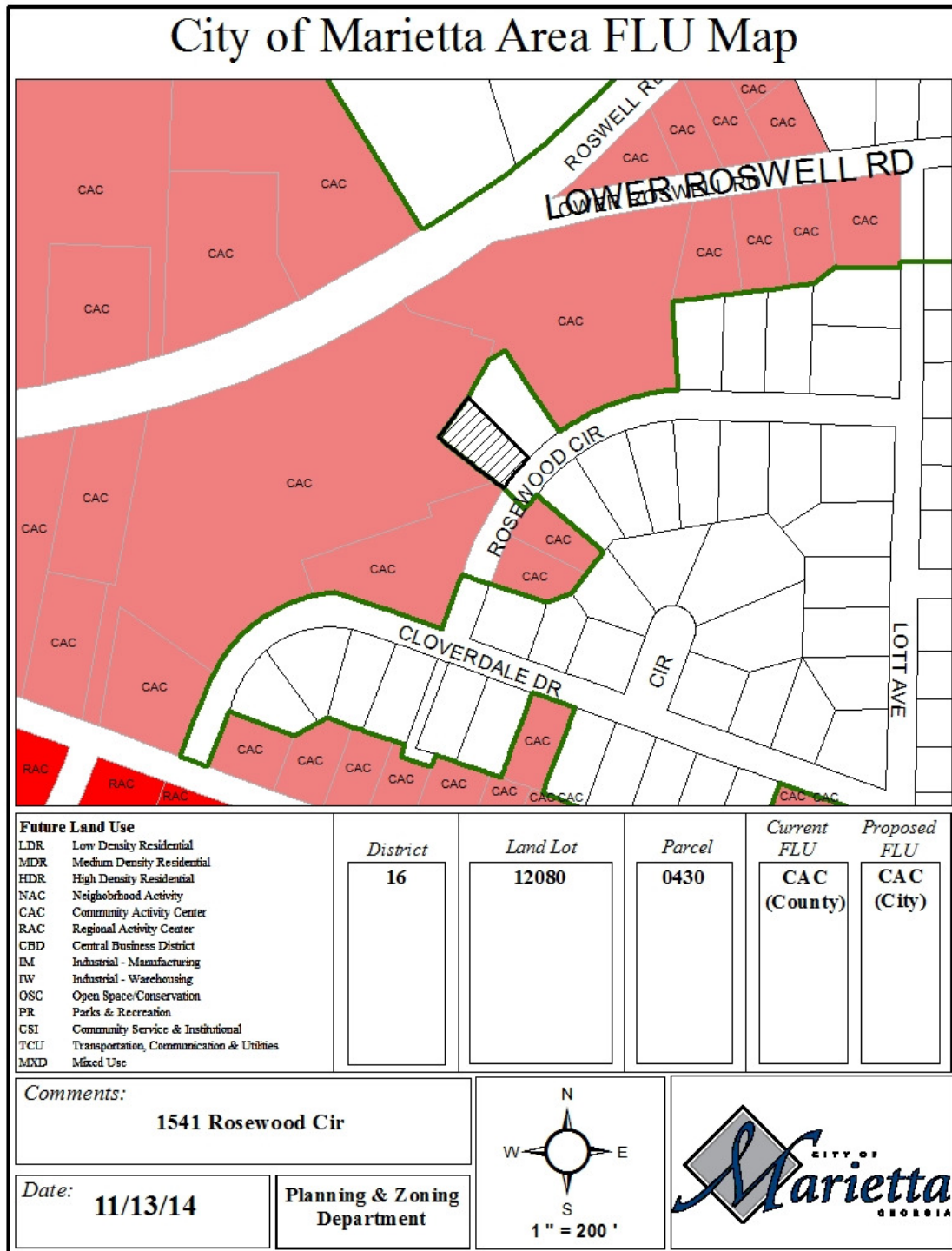
**PLANNING COMMISSION HEARING:**    **Tuesday, December 2, 2014 – 6:00 p.m.**

**CITY COUNCIL HEARING:**                      **Wednesday, December 10, 2014 – 7:00 p.m.**

## MAP



## FLU MAP





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**PICTURES OF PROPERTY**



**View of 1541 Rosewood Cir**



**View of 1541 Rosewood Cir**

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## STAFF ANALYSIS

### *Location Compatibility*

The applicant and property owner Philip Goldstein of Marietta Properties, LLC, is requesting to rezone and annex a 0.22 acres parcel of property located at 1541 Rosewood Cir from GC (General Commercial) in Cobb County to CRC (Community Retail Commercial) in the City of Marietta.

The properties to the south and west are zoned CRC (Community Retail Commercial) are in the City of Marietta. The adjacent property to the north in is Cobb County and zoned GC (General Commercial). The property to the west, across the street, is zoned CRC and in the City of Marietta. This area has a mixture of properties that are Cobb County and Marietta.

### *Use Potential and Impacts*

The applicant is requesting to rezone and annex this property into the City of Marietta that has a current use of a motorcycle repair shop. Although the annexation and rezoning request is for CRC (Community Retail Commercial), the list of permitted uses is slightly different in the City of Marietta as compared to those allowed in the County under GC (General Commercial).

The current site appears to be nonconforming in regards to building setbacks and possibly other regulations. Section 706.03 of the zoning code under nonconforming structures and uses states that the continuous of a nonconforming building or structure will remain unless: expanded, extended or enlarged in any manner which it increases its nonconformity [706.03 (A)], rebuilt, altered or repaired over a 12-month period if such construction costs would exceed 50% of the replacement costs of the site and building [706.03 (B)], rebuilt, altered or repaired over a 12-month period if such construction costs would exceed 75% of the replacement costs of the building [706.03 (C)].

The Cobb County Future Land Use Map designates this area as CAC (Community Activity Center). The purpose for CAC is to provide for areas that can meet the immediate needs of several neighborhoods or communities. The City of Marietta Comprehensive Plan and the Future Land Use map designates this property and all surrounding areas as Community Activity Center (CAC). Community Activity Center Districts are areas that provide a wide range of goods and services, including businesses and professional offices. These districts are located along collector and arterial streets. The zoning request to rezone to CRC is consistent with the current future land use designation.



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## STAFF ANALYSIS CONTINUED

### *Environmental Impacts*

There is no indication of any streams, wetlands, floodplains, endangered species, or topographical issues on the property. And because there is no proposed construction, there should be no environmental impacts caused by the annexation and rezoning of this property.

### *Economic Functionality*

The property is currently zoned GC in Cobb County, which would allow a similar subdivision and use of land to what is being requested. This indicates that the property is economically viable as-is. However, the applicant wishes for the property to be located within the city limits under City of Marietta regulations.

### *Infrastructure*

The proposed rezoning of this property will have minimal impacts on the transportation, education, water, sewer, electricity, and other public infrastructure in the area. Marietta Power currently serves this site already.

### *History of Property*

Because the subject property is located, and was developed, in Cobb County, there is no history of variances, rezoning, or special land use permits on file in City records.



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## ANALYSIS & CONCLUSION

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**Prepared by:** \_\_\_\_\_

**Approved by:** \_\_\_\_\_



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## DATA APPENDIX

### ***CITY OF MARIETTA - WATER***

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Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	6-inch
Capacity of the water line?	Flow test required
Approximate water usage by proposed use?	Not provided

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### ***CITY OF MARIETTA - SEWER***

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Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	8-inch
Capacity of the sewer line?	Study may be required
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

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## DATA APPENDIX CONTINUED

### ***DRAINAGE AND ENVIRONMENTAL CONCERNS***

Does flood plain exist on the property:	No FEMA flood plain on property
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	Rottenwood
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	N/A
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are the storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

### ***Transportation***

What is the road effected by the proposed change?	Rosewood Circle
What is the classification of the road?	Local
What is the traffic count for the road?	---
Estimated # of cars generated by the proposed development?	---
Estimated # of trips generated by the proposed development?	---
Do sidewalks exist in the area?	Sparse; repair needed
Transportation improvements in the area?	No
If yes, what are they?	N/A



- If construction is proposed, Site Plans may be required. Plans must include, driveways, erosion-sedimentation-and pollution control plan, stormwater management (preventing concentrated flows from adjacent property), stormwater quality (bioretention or other), and any other applicable improvements required by City Code and Georgia Stormwater Management Manual.
- Additional comments will be made at time of site plan submittal, if it is required.
- There can be no point discharge onto adjacent property which is not into a stream, defined drainageway, or storm sewer. Discharge will not be allowable at the property line, or into the street R.O.W. If easements are required for drainage through adjacent property, then the owner is to obtain.

### ***EMERGENCY SERVICES***

Nearest city or county fire station from the development?	Station 52
Distance of the nearest station?	1.5 miles
Most likely station for 1 <sup>st</sup> response?	Station 52
Service burdens at the nearest city fire station (under, at, or above capacity)?	none
Additional comments:	None

### ***MARIETTA POWER - ELECTRICAL***

Does Marietta Power serve this site? Yes   X   No           

If not, can this site be served? Yes            No           

What special conditions would be involved in serving this site?

Additional comments: